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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,764	09/01/1999	RAVI GANESAN	23952-0059	2988

29052 7590 09/13/2006

SUTHERLAND ASBILL & BRENNAN LLP
999 PEACHTREE STREET, N.E.
ATLANTA, GA 30309

EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,764

Applicant(s)

GANESAN ET AL.

Examiner

Nga B. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8-11,13-17,20-23,26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8-11,13-17,20-23,26 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 5, 2006 has been entered.
2. Claims 1-5, 8-11, 13-17, 20-23, 26, and 28 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-5, 8-11, 13-17, 20-23, 26, and 28 have been considered but are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 8-11, 13-17, 20-23, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitchen et al (hereinafter Kitchen), U.S. Patent No. 6,289,322 in view of Dent et al (hereinafter Dent), U.S. Patent No. 6,128,603.

Regarding to claim 1, Kitchen discloses an electronic bill payment network, comprising:

a plurality of user network stations associated with a plurality of different users, a first of the plurality of user network stations being associated with a first of the plurality of different users and operable to transmit, an instruction to pay an available bill (figure 1, items 120a-120d and column 8, lines 55-67, payor stations) ;

a plurality of biller network stations associated with a plurality of different billers, a first of the plurality of biller network stations being associated with a first of the plurality of different billers and operable, to determine and transmit a first amount of the available bill (figure 1, items 110a-110d and column 9, line 65-column 10, line 5; Biller stations), and

a central network station operable, to receive the first amount of the available bill and the transmitted pay instruction, and to direct payment of the amount of the available bill based upon the transmitted instruction to pay that available bill (figure 1, item 140; column 6, lines 50-58 and column 8, lines 63-67; a centralized CF station).

Kitchen does not teach a payer disputing a bill and the biller determines the revised amount of the available bill. However, Dent discloses a payer disputing a bill and (column 10, line 40-column 11, line 42, the bill is constructed with appropriate controls that enable a consumer to dispute an item; the bill automatically adjusts the amount paid to reflect the disputed amount). Dent does not teach the biller determines the revised amount of the available bill. However, the biller determines the revised amount of the available bill is well known in the art. Therefore, it would have been

obvious to one with ordinary skill in the art at the time the invention was made to modify Kitchen's to incorporate the teaching of Dent and the well-known feature above for the purpose of allowing a payer disputing a bill the biller determines the revised amount of the available bill, electronically, thus significantly improves the efficiency of communication between the biller and consumer, and potentially reduces wasteful non-electronic communication between them.

Regarding to claim 2, Kitchen discloses the central network station is further operable to transmit bill availability information identifying the available bill for the first user; and the first user network station is further operable to receive the transmitted bill availability information, and to transmit a request for the available bill pay instruction (column 7, lines 65-column 8, line 37).

Regarding to claim 3, Kitchen does not disclose the bill availability information identifies available bills without identifying an amount of each of the bills. However, the bill availability information identifies available bills without identifying an amount of each of the bills is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Kitchen's to incorporate the feature above for the purpose of not identifying the amount of the bill.

Regarding to claim 4, Kitchen further discloses a database configured to store the bill availability information so as to further identify those of the identified available bills which required information relevant to the amount of those identified available bills (column 6, lines 35-50).

Regarding to claim 5, Kitchen further discloses the database is configured to store the determined amount (column 9, lines 15-20).

Regarding to claims 8-9, Kitchen does not disclose the revised amount of the available bill is determined in response to a disputation associated with the available bill and the revised amount of the available bill replaces the first amount of the available bill. However, Dent discloses the revised amount of the available bill is determined in response to a disputation associated with the available bill and the revised amount of the available bill replaces the first amount of the available bill (column 11, lines 15-26, the bill automatically adjusts the amount paid to reflect the disputed amount). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Kitchen's to incorporate the teaching of Dent above for the purpose of allowing a payer disputing a bill and the determination of the revised amount of the available bill, electronically, thus significantly improves the efficiency of communication between the biller and consumer, and potentially reduces wasteful non-electronic communication between them. Additionally, since the disputes are automatically associated with the particular billing item, the process lead to more efficient remittance processes and audit tracking processes.

Claims 10, 11, 13-15 are method claims that contain similar limitations found in claims 1, 2, 4-5, 9 discussed above, therefore, are rejected by the same rationale.

Claims 16-17 contain similar limitations found in claims 1-2 above, moreover, Kitchen discloses: a database configured to store bill availability information identifying available bills of a plurality of different billers for a plurality of different users (column 6,

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lines 59-65, bill templates are stored in the memory area 420f) and a processor configured to receive a network communication of an amount of one of the available bills (column 6, lines 50-58 and column 8, lines 55-67, the processor 410).

Claims 20-23 are written in computer software and contain similar the limitations as found in claims 1, 2, 4, 9 discussed above, therefore are rejected by the same rationale.

Claims 26, 28 contain similar limitations as found in claims 1, 9, discussed above, therefore, are rejected by the same rationale.

Conclusion

6. Claims 1-5, 8-11, 13-17, 20-23, 26, and 28 are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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C/o Technology Center 3600

Washington, DC 20231

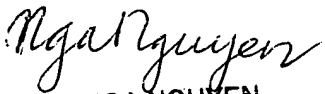
Or faxed to:

(703) 872-9306 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

August 1, 2006